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SIMMONS BEDDING COMPANY
and Defendant and Counterclaimant
DREAMWELL, LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ZINUS, INC. a California Corporation,
Plaintiff,

v.

SIMMONS BEDDING COMPANY, a
Delaware corporation, and DREAMWELL,
LTD., a limited liability company of
Nevada,

Defendants.

Case No. 07-CV-03012-PVT

**ADR CERTIFICATION BY DEFENDANT
PARTIES AND COUNSEL**

AND RELATED COUNTERCLAIMS

Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5 (b), each of the undersigned certifies that he or she has:

(1) Read the handbook entitled "*Dispute Resolution Procedures in the Northern District of California*" on the Court's ADR Internet site www.adr.cand.uscourts.gov (*Limited printed copies are available from the clerk's office for parties in cases not subject to the court's Electronic Case Filing program (ECF) under General Order 45*);

1 (2) Discussed the available dispute resolution options provided by the Court and private
2 entities; and

3 (3) Considered whether this case might benefit from any of the available dispute
4 resolution options.

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7 Dated: August 28, 2007

SIMMONS BEDDING COMPANY

8 By: _____ /s/
9 Clara DeQuick

10 Dated: August 28, 2007

DREAMWELL, LTD.

11
12 By: _____ /s/
13 David A. Liskow

14 Dated: August 28, 2007

PERKINS COIE LLP

15
16 By: _____ /s/
17 Kenneth B. Wilson

18 Attorneys for Defendant SIMMONS
19 BEDDING COMPANY and Counterclaimant
20 DREAMWELL, LTD.
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